UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

ORIGINAL

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION

THIS DOCUMENT RELATES TO:

COUNTYOF SUFFOLK V. ABBOTT LABORATORIES, INC., ET AL., E.D.N.Y Case No. CV-03-229 (D.M 03-10643 PBS) MDL. NO 1456

Civil Action No. 01-CV-12257-PBS

Judge Patti Saris

AFFIDAVITS OF SERVICE OF AMENDED SUMMONS AND COMPLAINT

DISTRICT	DISTRICT OF	
COUNTY OF SUFFOLK	AMENI SUMMONS	DED IN A CIVIL CASE
V .	CASE NUMBER:	MDL 1456 (PBS)
ASTRAZENECA PHARMACEUTICALS	S L.P.	
TO: (Name and address of defe ASTRAZENECA PHARM 1800 CONCORD PIKE	MACEUTICALS L.P.	
WILMINGTON, DE 1985 YOU ARE HEREBY SUMMONE JOANNE M. CICALA, ES KIRBY MCINERNEY & S 830 THIRD AVENUE NEW YORK, NY 10022	ED and required to serve upon PLAINTIFF	'S ATTORNEY (name and address)
(212) 371-6600 an answer to the complaint which is herev summons upon you, exclusive of the day	with served upon you, within2 y of service. If you fail to do so, judgment ou must also file your answer with the Clerk	
CLERK (BY) DEPUTY CLERK	DATE DATE	9-4-03

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS			
COUNTY OF SUFFOLK	Index No	03 10643 P	R
Plaintiff	index No.	05 10045 11	٥
VS	AFFIDAVIT	OF SERVICE	 - -
ABOTT LABARATORIES, INC., AGOURON PHARMACEUTICALS, INC., AMGEN, INC., ASTRAZENECA PHARMACEUTICALS L.P., ASTRAZENECA US, AVENTIS BEHRING, AVENTIS PHARMACEUTICALS INC., BARR LABORATORIES, INC., BAYER AG, BERLEX LABORATORIES, INC., BIOGEN, INC., BRISTOL -MYERS SQUIBB COMPANY, ELI LILLY AND COMPANY, FUJISAWA PHARMACEUTICAL COMPANY, FUJISAWA PHARMACEUTICAL COMPANY, LTD., GENETECH, INC., GLAXO WELLCOME P.L.C., GLAXOSMITHKLINE PLC, IMMUNEX CORPORATION, IVAX CORPORATION, IVAX PHARMACEUTICALS INC., JANSSEN PHARMACEUTICAL, JOHNSON & JOHNSON, MEDIMMUNE, INC., MERCK & CO., INC., NOVARTIS PHARMACEUTICALS CORPORATION, ORTHO BIOTECH, ORTHO MCNEIL PHARMACEUTICALS, PFIZER INC., PHARMACIA CORPORATION, PERDUE PHARMA, L.P., RELIANT PHARMACEUTICALS, SANOFI-SYNTHELABO, INC., SCHERING-PLOUGH CORP., SMITHKLINEBEECHAM P.L.C., TAP PHARMACEUTICALS, WARRICK PHARMACEUTICALS, WYETH, and DOES 1-100			
Defendants			
STATE OF XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX			
Brian Reeder , being duly sw	worn depose	s and says	
that: deponent is not a party to this action,	, and is ov	er 18 years	s of
age and is a resident of the State of Delawar	e		
On <u>September</u> , <u>15</u> , 2003 a			
1800 Concord Pike, Wilmington, Delaware, 1989	50, deponen	t served th	ne

within Summons and Complaint upo	n ASTRAZENECA PHARMACEUTICAL L.P., by
delivering to and leaving with (PERSON SERVED) Marianne Casey ,
(TITLE) Legal Administrator , a tr	ue and correct copy of said document.
At the time of said service,	
(PERSON SERVED) Marianne Case	stated that $\frac{s}{}$ he was duly
authorized to accept service of	legal process for
ASTRAZENECA HIARMACEUTICAL L.P.	
(person served) Marianne Ca	asey is described as a White
Female, approximately 44 years	of age, 150 lbs., $5'8$ " tall, with
Brown hair and (other feature)	
	•
	nh
	(PROCESS SERVER'S SIGNATURE) Brian Reeder
	Brian Reeder
	(PROCESS SERVER'S NAME)

Notary Public

NIMBERLY J. RYAN
NOTARY PUBLIC-DELAWARE
My Commission Expires June 15, 2004

Sworn to before me this __16 day of _____ 2003

DISTRICT	DISTRICT OF	MASSACHUSETTS
COUNTY OF SUFFOLK	AMENDED	
	SUMMONS I	N A CIVIL CASE
V.	CASE NUMBER:	MDL 1456 (PBS)
ASTRAZENECA US		
TO: (Name and address of defendant)		
ASTRAZENECA US 1800 CONCORD PIKE WILMINGTON, DE 19850		
YOU ARE HEREBY SUMMONED and req	juired to serve upon PLAINTIFF'S	S ATTORNEY (name and address)
JOANNE M. CICALA, ESQ. KIRBY MCINERNEY & SQUIRE, LI 830 THIRD AVENUE NEW YORK, NY 10022 (212) 371-6600	LP	
an answer to the complaint which is herewith served summons upon you, exclusive of the day of service the relief demanded in the complaint. You must also of time after service.	If you fail to do so judament h	u defeuit will be telement of the
CLERK (BY) DEPUTY OLERK OF MASSAC	R DATE	4-03

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS		
COUNTY OF SUFFOLK	Index No. 03	10643 PB
Plaintiff VS	AFFIDAVIT OF	SERVICE
ABOTT LABARATORIES, INC., AGOURON PHARMACEUTICALS, INC., AMGEN, INC., ASTRAZENECA PHARMACEUTICALS L.P., ASTRAZENECA US, AVENTIS BEHRING, AVENTIS PHARMACEUTICALS INC., BARR LABORATORIES, INC., BAYER AG, BERLEX LABORATORIES, INC., BIOGEN, INC., BRISTOL -MYERS SQUIBB COMPANY, ELI LILLY AND COMPANY, FUJISAWA PHARMACEUTICAL COMPANY, LTD., GENETECH, INC., GLAXO WELLCOME P.L.C., GLAXOSMITHKLINE PLC, IMMUNEX CORPORATION, IVAX CORPORATION, IVAX PHARMACEUTICALS INC., JANSSEN PHARMACEUTICAL, JOHNSON & JOHNSON, MEDIMMUNE, INC., MERCK & CO., INC., NOVARTIS PHARMACEUTICALS CORPORATION, ORTHO BIOTECH, ORTHO MCNEIL PHARMACEUTICALS, PFIZER INC., PHARMACIA CORPORATION, PERDUE PHARMA, L.P., RELIANT PHARMACEUTICALS, SANOFI-SYNTHELABO, INC., SCHERING-PLOUGH CORP., SMITHKLINEBEECHAM P.L.C., TAP PHARMACEUTICALS, WARRICK PHARMACEUTICALS, WYETH, and DOES 1-100		
Defendants		
STATE OF NEW CASILE) ss.:		
Brian Reeder , being duly s	worn deposes a	and says
that: deponent is not a party to this action	, and is over	18 years of
age and is a resident of the State of Delawar	<u>e</u>	
On <u>September</u> , <u>15</u> , 2003	approximately	1:14 p.m. at
1800 Concord Pike, Wilmington, Delaware, 198	50, deponent s	served the

within Summons and Complaint upon ASTRAZENECA US, by delivering to and
leaving with (PERSON SERVED) Marianne Casey
(TITLE)
At the time of said service,
(PERSON SERVED) Marianne Casey stated that she was duly
authorized to accept service of legal process for
ASTRAZENECA US .
(PERSON SERVED) Marianne Casey is described as a white
fe male, approximately 44 years of age, 150 lbs., 5'8" tall, with
Brown hair and (OTHER FEATURE)
•
(PROCESS SERVER'S SIGNATURE)
Prian Reeder (PROCESS SERVER'S NAME)
Sworn to before me this 16 day of 2003

KIMBERLY J. RYAN
NOTARY PUBLIC-DELAWARE
My Commission Expires June 15, 2004

DISTRICT	DISTRICT OF	MASSACHUSETTS
COUNTY OF SUFFOLK	х ме N	n e n
	AMENDED SUMMONS IN A CIVIL CASE	
V.	CASE NUMBER:	MDL 1456 (PBS)
BARR LABORATORIES, INC.		
TO: (Name and address of defendant)		
BARR LABORATORIES, INC. 2 QUAKER ROAD		
BOX 2900 POMONA, NY 10970-0519		
YOU ARE HEREBY SUMMONED and requ	uired to serve upon PLAINTIFF'S	S ATTORNEY (name and address)
JOANNE M. CICALA, ESQ. KIRBY MCINERNEY & SQUIRE, LL	p	
830 THIRD AVENUE NEW YORK, NY 10022	•	
(212) 371-6600		
an answer to the complaint which is herewith served u	pon you, within20	days after service of this
summons upon you, exclusive of the day of service, he relief demanded in the complaint. You must also	If you fail to do so, judgment b file your answer with the Clerk o	ر با با بالمسلمية مساملة مما الأبرو الأمروب الأمروب الأمروب المراجعة المراجعة الأمروبية الأمروبية المراجعة الم
of time after service.		·
TONY ANASTAS AUSTATES D	5	
TONY ANASTAS		
CLERK	DATE	1-4-03
N/ N/ B		
(BY) DEPUTY CLERK		
OF MASSAC	MASE	

VS

Index No. 03 10643 PB

Plaintiff

AFFIDAVIT OF SERVICE

ABOTT LABARATORIES, INC., AGOURON PHARMACEUTICALS, INC., AMGEN, INC., ASTRAZENECA PHARMACEUTICALS L.P., ASTRAZENECA US, AVENTIS BEHRING, AVENTIS PHARMACEUTICALS INC., BARR LABORATORIES, INC., BAYER AG, BERLEX LABORATORIES, INC., BIOGEN, INC., BRISTOL -MYERS SQUIBB COMPANY, ELI LILLY AND COMPANY, FUJISAWA PHARMACEUTICAL COMPANY, LTD., GENETECH, INC., GLAXO WELLCOME P.L.C., GLAXOSMITHKLINE PLC, IMMUNEX CORPORATION, IVAX CORPORATION, IVAX PHARMACEUTICALS INC., JANSSEN PHARMACEUTICAL, JOHNSON & JOHNSON, MEDIMMUNE, INC., MERCK & CO., INC., NOVARTIS PHARMACEUTICALS CORPORATION, ORTHO BIOTECH, ORTHO MCNEIL PHARMACEUTICALS, PFIZER INC., PHARMACIA CORPORATION, PERDUE PHARMA, L.P., RELIANT PHARMACEUTICALS, SANOFI-SYNTHELABO, INC., SCHERING-PLOUGH CORP., SMITHKLINEBEECHAM P.L.C., TAP PHARMACEUTICALS, WARRICK PHARMACEUTICALS, WYETH, and DOES 1-100

Defendants

COUNTY OF Bergen) ss.:

Hatt Janulin, being duly sworn deposes and says that: deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New Jersey.

On Tuesday, Sept 16, 2003 approximately 2:000.m. at 400 Chestnut Ridge Road, Woodcliff lake, New Jersey, deponent served

the within Summons and Complaint upon BARR LABORATORIES INC., by
delivering to and leaving with (PERSON SERVED) Kathy thomas.
(TITLE) Admin (ISSt., a true and correct copy of said document.
At the time of said service,
(PERSON SERVED) Kathy Thomas stated that he was duly
authorized to accept service of legal process for
Barr Laboratories.
(PERSON SERVED) <u>Kashy Thomas</u> is described as a <u>white</u> male, approximately <u>45</u> years of age, <u>130</u> lbs., <u>5'5</u> " tall, with
μ male, approximately 45 years of age, 130 lbs., 5.5 " tall, with
Brown hair and (OTHER FEATURE)
(PROCESS SERVER'S SIGNATURE)
Matt Janulis (PROCESS SERVER'S NAME)
Sworn to before me this le day of Sept 2003

Notary Public

DACIEN J. MULLEN MY COMMISSION EXPIRES JUNE 1, 2008

DISTRICT	DISTRICT OF	MASSACHUSETTS
COUNTY OF SUFFOLK	AMEN	DED
	SUMMONS IN A CIVIL CASE	
V.	CASE NUMBER:	MDL 1456 (PBS)
BAYER CORPORATION		
TO: (Name and address of defendant)		
BAYER CORPORATION 100 BAYER ROAD		
PITTSBURGH, PA 15205-9741		
YOU ARE HEREBY SUMMONED and	required to serve upon PLAINTIFF	S ATTORNEY (name and address)
JOANNE M. CICALA, ESQ.		
KIRBY MCINERNEY & SQUIRE 830 THIRD AVENUE	E, LLP	
NEW YORK, NY 10022		
(212) 371-6600		
an answer to the complaint which is herewith sen	ved upon vou within 20) days after service of this
summons upon you, exclusive of the day of ser the relief demanded in the complaint. You must	vice. If you fail to do so, judgment l	by default will be taken against you for
of time after service.		, , , , , , , , , , , , , , , , , , ,
STATES DIS		
TONY ANAST	9-4	1-03
CLERK	DATE	
	F /& [

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS	
	·
Plaintiff VS	Index No. 03 10643 PB AFFIDAVIT OF SERVICE
ABOTT LABARATORIES, INC., AGOURON PHARMACEUTICALS, INC., AMGEN, INC., ASTRAZENECA PHARMACEUTICALS L.P., ASTRAZENECA US, AVENTIS BEHRING, AVENTIS PHARMACEUTICALS INC., BARR LABORATORIES, INC., BAYER AG, BERLEX LABORATORIES, INC., BIOGEN, INC., BRISTOL -MYERS SQUIBB COMPANY, ELI LILLY AND COMPANY, FUJISAWA PHARMACEUTICAL COMPANY, LTD., GENETECH, INC., GLAXO WELLCOME P.L.C., GLAXOSMITHKLINE PLC, IMMUNEX CORPORATION, IVAX CORPORATION, IVAX PHARMACEUTICALS INC., JANSSEN PHARMACEUTICAL, JOHNSON & JOHNSON, MEDIMMUNE, INC., MERCK & CO., INC., NOVARTIS PHARMACEUTICALS CORPORATION, ORTHO BIOTECH, ORTHO MCNEIL PHARMACEUTICALS, PFIZER INC., PHARMACIA CORPORATION, PERDUE PHARMA, L.P., RELIANT PHARMACEUTICALS, SANOFI-SYNTHELABO, INC., SCHERING-PLOUGH CORP., SMITHKLINEBEECHAM P.L.C., TAP PHARMACEUTICALS, WARRICK PHARMACEUTICALS, WARRICK PHARMACEUTICALS, WYETH, and DOES 1-100	
Defendants	x
STATE OF NEW YORK /A) COUNTY OF /A) ss.:	
FAYLENGLISH, being duly	sworn deposes and says
that: deponent is not a party to this action	n, and is over 18 years of
age and is a resident of the State of ρ	·
on <u>Sept</u> , <u>16</u> , 2003	approximately 11.254 m. at
100 Bayer Road, Pittsburgh, P.A. 15205, depe	

Summons and Complaint upon BAYER CORPORATION, by delivering to and
leaving with (PERSON SERVED) 6111 Dodero,
(TITLE) <u>legal department</u> , a true and correct copy of said document.
At the time of said service,
(PERSON SERVED) Bill Dodero stated that _he was duly
authorized to accept service of legal process for
Bayer Corporation
(PERSON SERVED) Bill Dodero is described as a white
male, approximately 35 years of age, 160 lbs., 5 8 " tall, with
Black hair and (other feature) Blue eyes
<u> </u>
\mathcal{A}_{1} - \cdot
Lal Eakh
(PROCES SERVER'S SIGNATURE)
EARL ENGLISH
(PROCESS SERVER'S NAME)
Sworn to before me this
la day of Sept 2003

Notary Public

Notarial Seal Robert M. Kresson, Notary Public Robinson Twp., Allegheny County My Commission Explies Feb. 7, 2007

Member, Pennsylvania Assessation Of Notaries

DISTRICT	DISTRICT OF	MASSACHUSETTS
COUNTY OF SUFFOLK	AMENDED	
·	SUMMONS IN A CIVIL CASE	
V.	CASE NUMBER:	MDL 1456 (PBS)
IVAX PHARMACEUTICALS, INC.		
TO: (Name and address of defendant)		
IVAX PHARMACEUTICALS, INC. 4400 Biscayne Blvd. Miami, FL 33137		
YOU ARE HEREBY SUMMONED and requ	ired to serve upon PLAINTIFF'S	S ATTORNEY (name and address)
JOANNE M. CICALA, ESQ. KIRBY MCINERNEY & SQUIRE, LLI 830 THIRD AVENUE NEW YORK, NY 10022 (212) 371-6600	P	
n.		
an answer to the complaint which is herewith served u	pon you, within20	
summons upon you, exclusive of the day of service. he relief demanded in the complaint. You must also of time after service.	If you fail to do so, judgment the file your answer with the Clerk of	by default will be taken against you for of this Court within a reasonable period
STATES DI	STO	
TONY ANASTAS	9	-4-03
CLERK	DATE	
(BY) DEPUTY CLERK	HUSE	

VS

Index No. 03 10643 PB

Plaintiff

AFFIDAVIT OF SERVICE

ABOTT LABARATORIES, INC., AGOURON PHARMACEUTICALS, INC., AMGEN, INC., ASTRAZENECA PHARMACEUTICALS L.P., ASTRAZENECA US, AVENTIS BEHRING, AVENTIS PHARMACEUTICALS INC., BARR LABORATORIES, INC., BAYER AG, BERLEX LABORATORIES, INC., BIOGEN, INC., BRISTOL -MYERS SQUIBB COMPANY, ELI LILLY AND COMPANY, FUJISAWA PHARMACEUTICAL COMPANY, LTD., GENETECH, INC., GLAXO WELLCOME P.L.C., GLAXOSMITHKLINE PLC, IMMUNEX CORPORATION, IVAX CORPORATION, IVAX PHARMACEUTICALS INC., JANSSEN PHARMACEUTICAL, JOHNSON & JOHNSON, MEDIMMUNE, INC., MERCK & CO., INC., NOVARTIS PHARMACEUTICALS CORPORATION, ORTHO BIOTECH, ORTHO MCNEIL PHARMACEUTICALS, PFIZER INC., PHARMACIA CORPORATION, PERDUE PHARMA, L.P., RELIANT PHARMACEUTICALS, SANOFI-SYNTHELABO, INC., SCHERING-PLOUGH CORP., SMITHKLINEBEECHAM P.L.C., TAP PHARMACEUTICALS, WARRICK PHARMACEUTICALS, WYETH, and DOES 1-100

TAMES R. BERRY, being duly sworn deposes and says that: deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Florible.

On MONDAY, 9/15, 2003 approximately 3:321.m. at 4400 Biscayne Boulevard, Miami, FL., 33137, deponent served the within

Summons and Complaint upon IVAX PHARMACEUTICAL, by delivering to and
leaving with (PERSON SERVED) AMY DUARTE,
(TITLE) PARALEGAL , a true and correct copy of said document.
At the time of said service,
(PERSON SERVED) $Amy Juare$ stated that s he was duly
authorized to accept service of legal process for
IVAX PHARMACEUTICAL
(PERSON SERVED) AMY SUHRTE is described as a WHITE /LATIN
$f_{\mathcal{E}}$ male, approximately $\underline{58}$ years of age, $\underline{135}$ lbs., $\underline{5}$ d' tall, with
RES hair and (OTHER FEATURE) WEARS GLASSES
7
(PROCESS SERVER'S SEGNATURE)
(PROCESS SERVER'S SEGNATURE)
JAMES R. BETTY VY
(PROCÉSS SERVER'S NAME)
Sworn to before me this
Notary Partice State of the control
Notary Public Construction of the Construction
Mark to the state of the state

DISTRICT	DISTRICT OF	MASSACHUSETTS
COUNTY OF SUFFOLK	AME	NDED
	SUMMONS IN A CIVIL CASE	
V.	CASE NUMBER:	MDL 1456 (PBS)
IVAX CORPORATION		
TO: (Name and address of defendant)		
IVAX CORPORATION 4400 BISCAYNE BLVD.		
MIAMI, FL 33137		
YOU ARE HEREBY SUMMONED and req	uired to serve upon PLAINTIFF'S	S ATTORNEY (name and address)
JOANNE M. CICALA, ESQ. KIRBY MCINERNEY & SQUIRE, LI	D	
830 THIRD AVENUE NEW YORK, NY 10022	-'	
(212) 371-6600		
an answer to the complaint which is herewith served	upon you, within20	days after service of this
summons upon you, exclusive of the day of service he relief demanded in the complaint. You must also of time after service.	e. If you fail to do so, judgment b o file your answer with the Clerk o	y default will be taken against you for fithis Court within a reasonable period
STATES DIS		
TONY AWASTAS	E	1: 42
	DATE	4-03
CLERK		
(BY) DEPUTY CLERK		

Index No. 03 10643 PB

Plaintiff

VS

AFFIDAVIT OF SERVICE

ABOTT LABARATORIES, INC., AGOURON PHARMACEUTICALS, INC., AMGEN, INC., ASTRAZENECA PHARMACEUTICALS L.P., ASTRAZENECA US, AVENTIS BEHRING, AVENTIS PHARMACEUTICALS INC., BARR LABORATORIES, INC., BAYER AG, BERLEX LABORATORIES, INC., BIOGEN, INC., BRISTOL -MYERS SQUIBB COMPANY, ELI LILLY AND COMPANY, FUJISAWA PHARMACEUTICAL COMPANY, LTD., GENETECH, INC., GLAXO WELLCOME P.L.C., GLAXOSMITHKLINE PLC, IMMUNEX CORPORATION, IVAX CORPORATION, IVAX PHARMACEUTICALS INC., JANSSEN PHARMACEUTICAL, JOHNSON & JOHNSON, MEDIMMUNE, INC., MERCK & CO., INC., NOVARTIS PHARMACEUTICALS CORPORATION, ORTHO BIOTECH, ORTHO MCNEIL PHARMACEUTICALS, PFIZER INC., PHARMACIA CORPORATION, PERDUE PHARMA, L.P., RELIANT PHARMACEUTICALS, SANOFI-SYNTHELABO, INC., SCHERING-PLOUGH CORP., SMITHKLINEBEECHAM P.L.C., TAP PHARMACEUTICALS, WARRICK PHARMACEUTICALS, WYETH, and DOES 1-100

JAMES R. BERRY, being duly sworn deposes and says that: deponent is not a party to this action, and is over 18 years of age and is a resident of the State of Florida.

On MONDAY, 9/15, 2003 approximately 3:32 P.m. at 4400 Biscayne Boulevard, Miami, FL., 33137, deponent served the within

Summons and Complaint upon IVAX CORPORATION, by delivering to and
leaving with (PERSON SERVED) AMY JUHNTE,
(TITLE) PARAGECIC , a true and correct copy of said document.
At the time of said service,
(PERSON SERVED) AMY JUARIE stated that he was duly
authorized to accept service of legal process for
IVAX CORPORATION.
(PERSON SERVED) AMY JUARTE is described as a WHITE/LATIN
$\underline{\textit{FE}}$ male, approximately $\underline{\textit{58}}$ years of age, $\underline{\textit{135}}$ lbs., $\underline{\textit{5}}$ 'o'' tall, with
RED hair and (other feature) WEARS G (435 ES
•
7 - 0
(PROCESS SERVER'S SIGNATURE)
TAMES R. Rerry Jr (PROCESS SERVER'S NAME)
Sworn to before me this 17 day of 2 2003
OMN P. JULIEN S COMMISSION DE022405
Notary Jublic Control Application Applicat

DISTRICT	DISTRICT OF	MASSACHUSETTS
COUNTY OF SUFFOLK	AMENDED	
	SUMMONS I	IN A CIVIL CASE
V.	CASE NUMBER:	MDL 1456 (PBS)
FUJISAWA HEALTHCARE, INC.		

TO: (Name and address of defendant)

FUJISAWA HEALTHCARE, INC. THREE PARKWAY NORTH DEERFIELD, IL 60015

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOANNE M. CICALA, ESQ. KIRBY MCINERNEY & SQUIRE, LLP 830 THIRD AVENUE NEW YORK, NY 10022 (212) 371-6600

an answer to the complaint which is herewith served upon you, within ________ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(BY) DEPUTY CLERK

(BY) DEPUTY CLERK

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS	
COUNTY OF SUFFOLK,	_
Plaintiff,	
v.	AFFIDAVIT OF SERVICE
ABBOTT LABORATORIES, INC., et. al.,	
Defendants.	
	_
STATE OF NEW YORK)	
) ss.: COUNTY OF NEW YORK)	

LLOYD DONDERS, being duly sworn, deposes and says:

I am not a party to the above-entitled action, am over 18 years of age and reside in the county of Westchester, State of New York.

That on September 17, 2003, I served a true and correct copy of the AMENDED COMPLAINT in the above-entitled action by First Class U.S. Mail upon Reed Smith, LLP pursuant to a conversation I had with Andrew Hurst, Esq. A copy of the memorialized conversation, in which Mr. Hurst agreed to accept service on behalf of their client, Fujisawa Healthcare, Inc. is attached.

Lloyd M. Donders

Kirby McInerney & Squire LLP 830 Third Avenue, 10th Floor

New York, NY 10022

Sworn to before me this 4th day of November 2003

Notary Public, State of New York, No. 01RA4740575

Appointed in Bronx County

My Commission expires 43/4005

Case 1:01-cv-12257-PBS Document 607 Filed 11/13/03 Page 22 of 28

KIRBY McINERNEY & SQUIRE, LLP

TELEPHONE (212) 371-6600 (212) 317-2300 FACSIMILE (212) 751-2540

830 Third Avenue New York City 10022

IRVING MALCHMAN, OF COUNSEL

VIA FEDERAL EXPRESS

September 17, 2003

Andrew Hurst, Esq. Reed Smith, LLP 1301 K Street, N.W. Washington, DC 20005

Re: County of Suffolk v. Abbott Labs, et al. (Our file no. 549.01)

Dear Andrew:

I write to memorialize our conversation yesterday. Thank you for agreeing to accept service of the amended complaint in the above matter on behalf of your client Fujisawa Healthcare, Inc. A copy is enclosed. Also enclosed is a copy of our notice of correction, filed September 17, 2003, which correctly identifies Fujisawa Healthcare, Inc. in the caption.

Sincerely,

Lloyd Donders

Hord Dondon

Enclosures

cc: Joanne M. Cicala, Esq.

WEBSITE: KMSLAW.COM

E-MAIL: KMS@KMSLAW.COM

DISTRICT	DISTRICT OF	MASSACHUSETTS
COUNTY OF SUFFOLK	AME	NDED
:	SUMMONS	IN A CIVIL CASE
V.	CASE NUMBER	: MDL 1456 (PBS)
NOVARTIS PHARMACEUTICALS CORPORATION		
TO: (Name and address of defendant)		
NOVARTIS PHARMACEUTIC ONE HEALTH PLAZA EAST HANOVER, NJ 07936-1		
YOU ARE HEREBY SUMMONED an	d required to serve upon PLAINTIF	F'S ATTORNEY (name and address)
JOANNE M. CICALA, ESQ. KIRBY MCINERNEY & SQUIF 830 THIRD AVENUE NEW YORK, NY 10022 (212) 371-6600	RE, LLP	
an answer to the complaint which is herewith se summons upon you, exclusive of the day of se the relief demanded in the complaint. You must of time after service.	ervice. If you fail to do so, judgmen	20 days after service of this It by default will be taken against you for k of this Court within a reasonable period
CLERK (BY) DEPUTY CLERK	DATE	7-4-03

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

COUNTY OF SUFFOLK

Index No. 03 10643 PB

Plaintiff

AFFIDAVIT OF SERVICE

ABOTT LABARATORIES, INC., AGOURON PHARMACEUTICALS, INC., AMGEN, INC., ASTRAZENECA PHARMACEUTICALS L.P., ASTRAZENECA US, AVENTIS BEHRING, AVENTIS PHARMACEUTICALS INC., BARR LABORATORIES, INC., BAYER AG, BERLEX LABORATORIES, INC., BIOGEN, INC., BRISTOL -MYERS SQUIBB COMPANY, ELI LILLY AND COMPANY, FUJISAWA PHARMACEUTICAL COMPANY, LTD., GENETECH, INC., GLAXO WELLCOME P.L.C., GLAXOSMITHKLINE PLC. IMMUNEX CORPORATION, IVAX CORPORATION, IVAX PHARMACEUTICALS INC., JANSSEN PHARMACEUTICAL, JOHNSON & JOHNSON, MEDIMMUNE, INC., MERCK & CO., INC., NOVARTIS PHARMACEUTICALS CORPORATION, ORTHO BIOTECH, ORTHO MCNEIL PHARMACEUTICALS, PFIZER INC., PHARMACIA CORPORATION, PERDUE PHARMA, L.P., RELIANT PHARMACEUTICALS, SANOFI-SYNTHELABO, INC., SCHERING-PLOUGH CORP., SMITHKLINEBEECHAM P.L.C., TAP PHARMACEUTICALS, WARRICK PHARMACEUTICALS, WYETH, and DOES 1-100

Defendants

COUNTY OF WOLVIS CO.)

Matt Januus, being duly sworn deposes and says that: deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New Jersey.

On Tuesckay, Sept 16, 2003 approximately 4.05p.m. at 1 Health Plaza, East Hanover, NJ., 07936, deponent served the within

Summons and Complaint upon NOVARTIS PHARMACEUTICALS INC., by
delivering to and leaving with (PERSON SERVED) Lonna Weiner,
(TITLE) Legal Dept Sec., a true and correct copy of said document.
At the time of said service,
(PERSON SERVED) Conna Weirly stated that She was duly
authorized to accept service of legal process for
Novartis Pharmaceuticals
(PERSON SERVED) Conva Weine / is described as a white
female, approximately 5, years of age, 183 lbs., 5'6" tall, with
Brown hair and (other feature) Brown Eyes.
Λ Λ
Mod Vorse
(PROCESS SERVER'S SIGNATURE)
Matt Janulia
(PROCESS SERVER'S NAME)

Sworn to before me this 10 feet 2003

DACIEN J. MULLEN MY COMMISSION EXPIRES JUNE 1, 2008

Notary Public

DISTRICT	DISTRICT OF	MASSACHUSETTS
COUNTY OF SUFFOLK	AMEND	ED
	SUMMONS I	N A CIVIL CASE
v .	CASE NUMBER:	MDL 1456 (PBS)
SANOFI-SYNTHELABO, INC.		
TO: (Name and address of defendant)		
SANOFI-SYNTHELABO, INC. ONE WALL STREET		
NEW YORK, NY 10286		
YOU ARE HEREBY SUMMONED and re	equired to serve upon PLAINTIFF'S	S ATTORNEY (name and address)
JOANNE M. CICALA, ESQ. KIRBY MCINERNEY & SQUIRE,	LLP	
830 THIRD AVENUE NEW YORK, NY 10022 (212) 371-6600		
(212) 37 1-0000		
an answer to the complaint which is herewith server	d upon you, within 20	days after service of this
he relief demanded in the complaint. You must all fitime after service.	so file your answer with the Clerk o	y delauit will be taken against you for f this Court within a reasonable period
TONY ANACT STATES DISTA		
	9.	4-03
CLERK	DATE	
(BY) DEPUTY CLERK		
OF MASSACHU		

UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

COUNTY OF SUFFOLK,

Plaintiff,

v.

IMUNEX, GLAXO WELLCOME, ORTHO
BIOTECH, AVENTIS BEHRING, AVENTIS
P HARMACEUTICALS INC., TAP
PHARMACEUTICALS, WARRICK
PHARMACEUTICALS, RELIANT PHARM,
and JOHNSON & JOHNSON, MASTERS,
INC., BENEFICIAL FRANCHISE
COMPANY, INC., H&R BLOCK, INC.,
H&R BLOCK SERVICES, INC., H&R
BLOCK TAX SERVICES, INC., H&R
BLOCK EASTERN TAX SERVICES, INC.,
BLOCK FINANCIAL CORP. and HRB
ROYALTY, INC.

Case No. MDL 1456 (PBS)

03-10643 PB

AFFIDAVITS OF SERVICE

Defendants.

AFFIDAVIT OF SERVICE

Ricardo Wright, being duly sworn, says:

Deponent is not a party to the action, is over the age of 18 years, is a resident of Brooklyn, New York.

On, September 12, 2003, deponent served the within Amended Summons and Amended Complaint upon:

Sanofi-Synthelabo Inc. 90 Park Avenue 7th Floor (Reception Area) New York, NY 10016 By delivering a true copy thereof personally to the above-named firm and leaving same with Mr. G. Ferdinand, the mail-room manager for Sanofi-Synthelabo, Inc., who stated that he was authorized to accept same.

RICARDO WRIGHT

Sworn to before me this 1st day of October, 2003

Notary Public
ILEANA RAMIREZ
Notary Public, State of New York
No. 01RA4740575

Appointed in Bronx Count
My Commission expires